

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Patent Examining Operations

Applicant(s): Zoe Weaver

Parent Serial No: 09/954,531 Art Unit: Unassigned

Filed: 18 September 2001 Examiner: Unassigned

Title: PROCESS FOR IDENTIFYING ANTI-CANCER THERAPEUTIC
AGENTS USING CANCER GENE SETS

Docket No: 689290-77

BOX SEQUENCE
U.S. Patent & Trademark Office
P.O. Box 2327
Arlington, VA 22202

Response to Notice to File Missing Parts and Amendment

Sir:

In response to the Notice to File Missing Parts, dated 15 November 2001, Applicant encloses the following for filing:

1. Declaration of Weaver (executed – 2 sheets);
2. Copy of the Notice Form;
3. Statement under 37 C.F.R. 1.821(f);
4. Sequence Listing in Computer Readable Form (compact disk – 1 copy) plus 2 copies to replace paper sequence listing;
5. Request for Extension of Time under 37 C.F.R. 1.136(a);
6. Postage paid, return receipt postcard; and
7. Check No. 7101 in the amount of \$525.00 (\$65.00 for surcharge for a small entity plus \$460.00 to cover charge for a three month extension of time for a small entity).

Applicant further requests that the application be amended as follows:

In the Specification:

Please delete the current paper sequence listing and replace it with the sequence listing on the CD-ROMs enclosed herewith.

REMARKS

Applicant has amended the sequence listing of the above-referenced application in accordance with the new rules for sequence listings to insure that each sequence that contains an "n" in the nucleotide sequence listing has been given a definition and range under headings <220> to <223> so that the description of the sequence is complete. The sequences themselves have not been altered and thus no new matter has been added. Applicant encloses herewith a statement under 37 C.F.R. 1.821(f) and (g) attesting that no new matter has been added.

Applicant encloses herewith a total of three CD-ROMs containing the corrected sequence listing: two CD-ROMs to replace the paper sequence listing and one CD-ROM as a computer readable form for search purposes.

In keeping with Patent Office instructions, this response, because it includes a sequence listing, is being forwarded to the 22202 zip code rather than the 20231.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 CFR 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EL146098030US

Deposit Date: 11 April 2002

I hereby certify that this paper and the attachments hereto are being deposited today with the U.S. Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above addressed to:

BOX SEQUENCE
U.S. Patent & Trademark Office
P.O. Box 2327
Arlington, VA 22202

Respectfully submitted,

Alan J. Grant

Alan J. Grant, Esq.
Reg. No. 33,389
CARELLA, BYRNE, BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN
6 Becker Farm Road
Roseland, NJ 07068
Tel. No.: (973) 994-1700

Alan J. Grant 4/11/02

Alan J. Grant, Esq.

Date

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EL146098030US

Deposit Date: 11 April 2002

I hereby certify that this paper and the attachments hereto are being deposited today with the U.S. Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above addressed to:

**BOX SEQUENCE
U.S. Patent & Trademark Office
P.O. Box 2327
Arlington, VA 22202**

Alan J. Grant 4/11/02

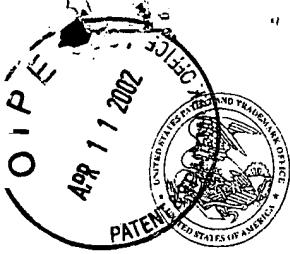
Alan J. Grant, Esq.

Date

Respectfully submitted,

Alan J. Grant

Alan J. Grant, Esq.
Reg. No. 33,389
CARELLA, BYRNE, BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN
6 Becker Farm Road
Roseland, NJ 07068
Tel. No.: (973) 994-1700



04-18-02

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

MP \$
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/954,531	09/18/2001	Zoe Weaver	689290-77

CONFIRMATION NO. 8649
FORMALITIES LETTER


OC000000007074924

CARELLA, BYRNE, BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN
6 Becker Farm Road
Roseland, NJ 07068

Date Mailed: 11/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE